

# RECORD OF PROCEEDINGS

Minutes of Council Meeting

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 1074B

Held April 17, 199519

The Council of the City of Centerville, County of Montgomery, State of Ohio, met on Monday, April 17, 1995 at 8:00 P.M. in the Council Chambers of the Centerville Municipal Building. The Meeting was opened with an Invocation given by Reverend Thomas Kuhn, Pastor of the Church of the Incarnation and City Chaplain, and the Pledge of Allegiance to the Flag with Mayor Shirley Heintz presiding. Councilmembers and City Staff present were as follows:

Deputy Mayor J. V. Stone  
 Councilmembers Brooks Compton  
                                   Sally Beals  
                                   James Singer  
                                   Mark Beasley  
                                   C. Mark Kingseed  
 Clerk of Council Marilyn McLaughlin  
 Assistant Clerk of Council Peggy Whisman  
 City Manager Gregory Horn  
 City Planner Alan Schwab  
 City Engineer Norbert Hoffman  
 Municipal Attorney Robert Farquhar  
 Assistant City Manager Michael Haverland  
 Assistant to the City Manager Judith Gilleland  
 Police Lieutenant Bruce Robertson

The minutes of the following meetings had been distributed prior to this meeting:

Council Meeting - March 20, 1995.  
 Council Work Session Meetings - March 20, 1995.  
   March 27, 1995.  
   April 3, 1995.  
   April 10, 1995.

Mrs. Beals moved that the minutes of the foregoing meetings be approved as distributed. Mr. Singer seconded the motion. The motion passed by unanimous vote; however, Mayor Heintz abstained from the minutes of the meeting held April 10, 1995 and Mr. Compton abstained from the minutes of the April 3, 1995 Work Session meeting.

Mayor Heintz introduced the following Centerville High School students participating in the City of Centerville Youth in Government Day April 25, 1995:

Mayor	Kristyn Sakelaris
Deputy-Mayor	Rob Thompson
Councilmembers	Rick Brooks
	Ajay Goel
	Ben Mercer
	Katie Baltes
	Julie Boeke
	Adrienne Savage
Clerk of Council	Drew Lowry
City Manager	Katie Janky
Director of Finance	Donald Zhou
City Engineer	Sara Wells
Chief of Police	Jennifer Cook
Service Director	Cheryl Torres
City Planner	

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Asst. City Manager Allison McClain  
Asst to the City Manager Paula Gibson

Mrs. McLaughlin announced the receipt of a letter of resignation from Bicentennial Commission member James Reppert. Mr. Compton moved that the resignation of James Reppert as a member of the Bicentennial Commission be accepted with regret. Mr. Singer seconded the motion. The motion passed unanimously.

Mayor Heintz introduced Centerville-Bellbrook Times reporter Leah Robinson, replacing former reporter John Reynolds.

Mayor Heintz announced the issuance of the following Proclamations:

Earth Week - April 21-29, 1995.

Arbor Day - April 28, 1995.

She outlined activities scheduled at Benham's Grove on April 28 in celebration of Arbor Day in the City of Centerville.

Mr. Horn outlined the following during his City Manager's Report:

Landscaping along the improved South Main Street from Edenhurst Drive to Sheehan Road is being put in place with completion anticipated within the next 30 days.

May 1, 1995 at 4:30 P.M. is the deadline for filing City of Centerville Income Tax returns. The office will be open on Saturday, April 29, 1995 from 8:00 A.M. to 12:00 noon for taxpayer's convenience.

An application has been submitted for EDGE (Economic Development Government Equity) funds to Montgomery County in order to pay for a portion of the widening and improvement of East Franklin Street from the eastern entrance into the Centerville High School east to Clyo Road; said project anticipated to take place in 1996.

The Golf Club at Yankee Trace opened as scheduled with excellent response.

Work continues on the Clubhouse with anticipated completion between May 15, 1995 and June 1, 1995.

Improvements continue to be made by Great Traditions in the residential pods in and around The Golf Club at Yankee Trace.

Operation Clean Sweep in the City of Centerville has been scheduled for May 15 through May 18, 1995. Pick up of large items will take place during this time according to the regular waste collection schedule.

The phone numbers for Yankee Trace facilities are as follows: the Gallery at Yankee Trace - 438-3585 and The Golf Club at Yankee Trace - 438-GOLF.

The selection of an Economic Development Director for the City of Centerville has been reduced to two applicants with a decision to be made within the coming week.

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## KELISCOT ESTATES RECORD PLAN

Mr. Schwab reviewed the Planning Commission meeting held March 28, 1995. He reviewed the Record Plan for Keliscot Estates, involving a 5.5384 acre parcel of land zoned R-1b, Single-Family Residential, to be divided into 7 lots. Mr. Schwab located the subject property on a map, being situated east of Bigger Road, south of Alexandersville-Bellbrook Road and the continuation of East Von Dette Circle accessed from Marwyck Drive. He identified zoning classifications and uses of adjacent properties. Included with approval of this Record Plan is a fee-in-lieu of parkland dedication and a stormwater retention area in the southeastern portion of lot number 4. The Planning Commission, by a vote of 3-1, recommended approval of this Record Plan to City Council, subject to the following conditions:

1. The island area in the center of the cul-de-sac shall be shown on the Record Plan as a reserve area to be owned and maintained by the homeowners association.
2. A stormwater drainage plan shall be approved by the City Engineering Department showing stormwater drainage calculations and incorporating retention and/or detention and erosion control during construction in accordance with the provisions of the City Stormwater Drainage Control Ordinance.
3. Prior to recording the Record Plan, the developer shall pay a fee-in-lieu of dedicating parkland in accordance with the provisions of City Ordinance Number 15-86, The City Parkland Dedication Ordinance.
4. The street name Green Ash Court shown on the plat be conditioned upon the City Council passing an Ordinance renaming the existing street East Von Dette Circle north of this plat to Green Ash Court.
5. In lieu of completion of the required improvements prior to recording of the plat, a Performance Bond in an amount to be determined by the City Engineer shall be posted by the developer with the City of Centerville and a Subdivider's Agreement entered into with the City.

Mr. Schwab reviewed the City Engineer's recommendation for approval subject to receipt of the following:

1. Acceptable Subdivider's Agreement.
2. Performance Bond to cover the public improvements (pavement, curbs, drainage, etc.) in the amount of \$38,850.
3. Payment of fee-in-lieu of dedicating parkland in accordance with provisions of City Ordinance 15-86, the City Parkland Dedication Ordinance.
4. Inspection fee in the amount of \$120.  
A one year Maintenance Bond will be required when the public improvements are completed and the Performance Bond released. The amount of the Maintenance Bond will be determined at that time.

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Upon question of Mr. Singer, Mr. Schwab advised that the maintenance of the landscaping in the cul-de-sac and the stormwater retention basin will be the responsibility of the homeowners association.

Mr. Val Lapsins, VL Associates, engineer for the project, asked City Council for approval of the Record Plan as submitted.

Mr. Kingseed moved that the Record Plan for Keliscot Estates be approved as recommended by the Planning Commission and the City Engineer subject to all conditions as previously outlined by the City Planner. Mr. Compton seconded the motion. The motion passed by six ayes in favor of the motion; Mrs. Beals voted no.

ORDINANCE NUMBER 6-95 STREET NAME CHANGE  
EAST VON DETTE CIRCLE TO GREEN ASH COURT

The Public Hearing was held concerning Ordinance Number 6-95. Mr. Schwab reviewed this proposed Ordinance to change the name of the northern portion of East Von Dette Circle to Green Ash Court into Keliscot Estates as petitioned by the eight property owners involved on said portion of East Von Dette Circle. Mr. Compton sponsored Ordinance Number 6-95, An Ordinance Changing The Name Of The Northern Portion Of East Von Dette Circle To Green Ash Court, and moved that it be passed. Mr. Singer seconded the motion. The motion passed by six ayes in favor of the motion; Mrs. Beals voted no.

FRIENDS OF BENHAM'S GROVE EXECUTIVE BOARD

Mr. Horn outlined the formation of "Friends of Benham's Grove" and appointments to the Executive Board. Friends of Benham's Grove has been formed to work in conjunction with the Centerville-Washington Township Bicentennial Commission in the development of a Garden Fest for 1996. The charge of Friends of Benham's Grove is to continue with the Garden Fest on an annual basis and to secure financial backing for the continuation of the gardens at Benham's Grove. Mayor Heintz advised that the following constitutes the Executive Board for Friends of Benham's Grove:

Madonna Allread, President  
Amy Gerber Trouman, Vice President  
Chris Beltran, Treasurer  
Susan Serr, Corresponding Secretary  
Marilyn McLaughlin, Recording Secretary  
Barb Wyant, Ways and Means  
Jane Corbly, Membership  
Anne Hutchinson, Volunteer Coordinator  
Elissa Cohen, By-Laws  
Judy Kunas, City Liaison  
Leslie Kiefaber, Garden Fest  
Timi Gump, Garden Fest

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Upon question of Mr. Beasley, Mr. Horn advised that this is an informal Board to be sanctioned by the City, yet independent from the City of Centerville. Mr. Stone moved that the Executive Board for Friends of Benham's Grove as previously outlined by Mayor Heintz be sanctioned. Mrs. Beals seconded the motion. The motion passed unanimously.

## CITY PLANNING COMMISSION APPOINT PATRICK HANSFORD

Mayor Heintz advised that Patrick Hansford, a member of the Board of Architectural Review, has indicated an interest in becoming a member of the City Planning Commission. Mr. Singer moved that Patrick Hansford be appointed as a member of the City Planning Commission to the unexpired term of Robert Hosfeld. Mrs. Beals seconded the motion. The motion passed by unanimous vote of City Council.

BOARD OF ARCHITECTURAL REVIEW  
APPOINT THOMAS WALSH AND CINDY KERR

Mr. Beasley moved that Thomas Walsh and Cindy Kerr be appointed as members of the Board of Architectural Review. Mr. Kingseed seconded the motion. The motion passed unanimously.

CITY BEAUTIFUL COMMISSION  
APPOINT PATRICIA JACOBS AND DEANN HURTADO

Mrs. Beals moved that Patricia Jacobs and DeAnn Hurtado be appointed as members of the City Beautiful Commission. Mr. Beasley seconded the motion. The motion passed by unanimous vote.

## CENTERVILLE PROPERTY REVIEW COMMISSION APPOINT JOHN DORKO

Mr. Singer moved that John Dorko be appointed as a member of the Centerville Property Review Commission. Mr. Kingseed seconded the motion. The motion passed by unanimous vote of City Council.

## RESOLUTION NUMBER 3-95 AUTOMATED RECORDS SYSTEM

Mr. Horn reviewed the following bids received for the purchase of an automated records system for the City of Centerville Police Department:

	Hardware	Software
HTE Public Safety Corporation	\$114,652	\$110,134
Creative Microsystems Inc.	84,329	52,376
Cisco Inc.	81,616	58,714
Applied Micro Technology Inc.	84,171	52,197

Police Lieutenant Bruce Robertson explained his recommendation to accept the bid submitted by Applied Micro Technology Inc. for software only at this time. Through investigations, it was determined that bids for the hardware were excessive; the City will rebid the hardware package at a later date. Upon question of Mrs. Beals, Lieutenant Robertson advised that this software package will perform those functions automatically now being performed

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manually. Mrs. Beals sponsored Resolution Number 30-95, A Resolution Accepting A Portion Of The Bid Submitted By Applied Micro Technology, Inc. For The Purchase Of The Automated Records System For The City Of Centerville Police Department And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Singer seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 31-95 1995 ROAD IMPROVEMENT PROJECT

Mr. Horn reviewed the following bids received for the 1995 Road Improvement Project, Concrete Repair and Asphalt Resurfacing, in the City of Centerville:

John R. Jurgensen Company	\$494,160.87
L. P. Cavett Company	503,363.94
Barrett Paving Materials, Inc.	552,516.00

Mr. Horn recommended acceptance of the bid submitted by the John R. Jurgensen Company in the amount of \$494,160.87 and to authorize the expenditure up to the budgeted \$550,000.00 in the event additional work is deemed necessary during the program process. Mr. Hoffman advised that work will begin as soon as the Contract is signed and will be completed September 1, 1995. Property owners will be notified of their street repair or resurfacing prior to commencement by the Contractor. Upon question of Mr. Beasley, Mr. Hoffman advised that quantities are included in the bid for the repair of driveway approaches if damaged during the improvement project. Mr. Stone sponsored Resolution Number 31-95, A Resolution Accepting The Bid Of The John R. Jurgensen Company For The 1995 Road Improvement Project, Concrete Repair And Asphalt Resurfacing, In The City Of Centerville And To Authorize The City Manager To Enter Into A Contract In Connection Therewith, and moved that it be passed. Mr. Beasley seconded the motion. The motion passed unanimously.

## RESOLUTION NUMBER 32-95 OHIO BELL TELEPHONE COMPANY EASEMENTS

Mr. Horn reviewed for Council the location of three easements requested by the Ohio Bell Telephone Company from the City of Centerville to facilitate the installation of telephone lines in order to provide service to the residential areas and golf course at Yankee Trace. Two easements are located along the east side of Yankee Street and the third in the area of Social Row Road. The City Staff has worked with Ameritech for the location of these lines in consideration of all other amenities being installed along Yankee Street. Mr. Horn pointed out the fact that this Resolution provides that such rights of way and easements shall be modified so as to reflect they are subject to any comprehensive right of way Ordinance or regulations adopted by the City and to indicate that nothing in the grant of such rights of way or easements should be construed to waive any franchise right of the City. Mrs. Beals sponsored Resolution Number 32-95, A Resolution Authorizing The City Manager To Execute Easements To The Ohio Bell Telephone Company In Order That Telephone And Other Communication Services Can Be Provided To The Yankee Trace Residential Development And

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Surrounding Areas, and moved that it be passed. Mr. Stone seconded the motion. The motion passed by unanimous vote of City Council.

**NESTLE CREEK II, SECTION TWO SIDEWALK PERFORMANCE BOND RELEASE**

Mr. Hoffman reviewed his recommendation for the release of the Performance Bond posted for sidewalks in Nestle Creek II, Section Two, as requested by the developer. All public improvements have been completed. Mr. Beasley moved that the Performance Bond in the amount of \$21,300.00 posted for sidewalks in Nestle Creek II, Section Two be released; no Maintenance Bond is required. Mr. Kingseed seconded the motion. The motion passed unanimously.

A composite of the Centerville Reports program coordinated by Mr. Haverland and Centerville's Volunteer Coordinator Maureen Hodgson was shown at this time.

There being no further business, the meeting was adjourned.

Approved: \_\_\_\_\_

Mayer

ATTEST: \_\_\_\_\_

Clerk of Council